

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CONFESSOR D. PABON,

Plaintiff,

vs.

STATE CORRECTIONAL OFFICERS
LEMASTER and MATTHEWS,

Defendants.

Civil Action No. 07-805

Judge Gary L. Lancaster


Magistrate Judge Amy Reynolds Hay

ORDER

AND NOW, this 23rd day of April, 2008, after the Plaintiff,

Confessor D. Pabon, filed an action in the above-captioned case, and after Defendants filed a Motion to Dismiss, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until April 4, 2008 to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Defendant's motion to dismiss [16] is granted in part and denied in part. It is granted as to Plaintiff's verbal harassment claims and his conspiracy claims. It is denied as to his Eighth Amendment excessive force and conditions of confinement claims.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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